

REMARKS:

On June 28, 2006, Alvin T. Rockhill, the Attorney for the Applicants, and Examiner Edward J. Cain discussed the rejection of the subject patent application during a telephone interview. It was agreed that the rejection under 35 U.S.C. §112, first paragraph could be overcome by amending claim 1 to call for dispersing the silica, the silica coupling agent, and the low molecular weight end-group functionalized diene rubber throughout the cement of the conventional rubbery polymer at a minimum temperature of about 50°C and a maximum temperature of 130°C. Claim 1 has been amended in this manner and is explicitly supported by the language at page 13, line 26 of the specification. In light of this amendment, claim 3 was also amended to call for the dispersing step to be conducted at a temperature which is within the range of 60°C to 90°C. This amendment to claim 3 is explicitly supported by the language at page 13, line 28 of the specification.

During the telephone interview it was also agreed that the process of claim 1 could be distinguished from the teaching of the prior art references on the basis that all dispersing steps are conducted at a maximum temperature of 130°C. To make it clear that no further dispersing steps at temperatures of greater than 130°C are covered by the claimed process it was suggested that claim 1 be amended to call for the process being claimed to "consist of" the two steps specified in the claim.¹ Claim 1 has been amended in this manner and is accordingly believed to be patentable over the teachings of the cited prior art references.

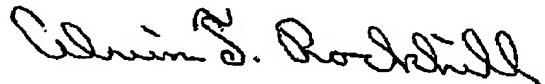
Claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over Lin in view of Asahara and Sandstrom. This rejection has been rendered moot by canceling claim 20.

The Examiner indicated that making the agreed upon amendments would appear to overcome every basis of rejection under 35 U.S.C. §103 and §112. It was accordingly agreed that making such amendments would place the subject patent application in a condition for

¹ Lin discloses a process wherein various components of the sulfur-vulcanizable elastomer utilized therein are added at a temperature of 165°C to about 200°C with a final mixing step being carried out within a preferred temperature range of about 40°C to about 120°C. Claim 1 has been amended to preclude the possibility of utilizing a dispersing step that is conducted at a temperature of greater than 130°C by calling for the claimed process to consist of the two steps specified in the claim. Accordingly, claim 1 as amended precludes the possibility of additional mixing being carried out in another step at a temperature which is within the range of 165°C to about 200°C as taught by Lin. The teachings of Lin do not disclose the possibility of carrying out the mixing step at temperatures that do not exceed 130°C and accordingly, do not render amended claim 1 obvious. This is, of course, because the teachings of Lin do not suggest or imply that the mixing can be carried out without the utilization of a higher temperature within the range of 165°C to about 200°C.

allowance pending an updated prior art search. The claims pending in the subject patent application have been amended in the agreed upon manner and are accordingly now believed to be in a condition for allowance. Such an allowance is respectfully requested.

Respectfully submitted,



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